UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/679,691 | 10/05/2000 | David P Ferguson | 10004941-1 | 9007 |

7590 02/27/2006

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

| EXAMINER | |
|---|---|
| EL CHANTI, HUSSEIN A | |
| **ART UNIT** | **PAPER NUMBER** |
| 2157 | |

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**



Application Number: 09/679,691
Filing Date: October 05, 2000
Appellant(s): FERGUSON ET AL.

David Rodack (registration No. 47,034)
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed Jan. 19, 2006 appealing from the Office action mailed Nov. 16, 2005.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

- Goshey et al., U.S. Patent No. 6,473,783

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Goshey et al., U.S. Patent No. 6,101,555 (referred to hereafter as Goshey).

As to claim 1, , Goshey teaches a method for detecting devices connected to a network comprising:

sending a scan request to a remote command process running on a remote network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 17-52, user may send a scan request to identify peripheral devices connected to a local or remote host);

scanning the network host with the remote command process to identify devices are connected to the host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-65, devices connected to the hosts are identified); and

receiving a response to the scan request from the remote command process that indicates whether a device is connected to the network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-col. 7 lines 3, a list of peripheral devices connected to the host is displayed to the client that the client has access privileges to).

As to claim 2, Goshey teaches the method of claim 1 respectively wherein a controller process is used to send the scan request to the remote command process (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-65).

As to claim 3, Goshey teaches the method of claims 2, 11 and 21 respectively wherein the controller process runs on a network host (see col. 5 lines 32-45 and col. 6

lines 38-65, the scanLAN software is stored on the host computer as scanLAN server code).

As to claim 4, Goshey teaches the method of claim 1 respectively wherein scanning the network host with the remote command process comprises sending a scan request from the remote command process to a host application program interface (see col. 4 lines 35-col. 5 lines 47).

As to claims 5, Goshey teaches the method of claim 1 respectively receiving device addresses from the application program interface (see fig. 2D, show a list of devices with the ID of each device indicating the addresses of these devices).

As to claim 6, Goshey teaches the method of claim 1 respectively further comprising maintaining an updated list of each network host running a remote command process with a host lookup process (see Fig. 2D and col. 4 lines 35-col. 5 lines 47, the list of currently connected devices to a host are sent to the client).

As to claim 7, Goshey teaches the method of claims 6, 11 and 21 respectively further comprising consulting the list prior to sending the scan request (see col. 11 lines 57-col. 12 lines 12 and col. 4 lines 35-col. 5 lines 47).

As to claim 8, Goshey teaches the method of claim 1 respectively further comprising sending multiple scan requests to multiple remote command processes stored on network hosts (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47 and fig. 4D, plurality of hosts are scanned independently of each other and a list of peripheral devices connected to each host are sent to the client and displayed as in fig. 4D).

As to claim 9, Goshey teaches the method of claims 8, 11 and 21 respectively wherein the scan requests are sent in parallel (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47, plurality of hosts scanned independent of the each other).

As to claim 10, Goshey teaches the method of claim 1 respectively further comprising communicating information concerning the detected devices to a user (see fig. 4D, col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47).

As to claim 11, Goshey teaches a system for detecting devices connected to a network comprising:

Means for sending a scan request to a remote command process running on a remote network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 17-52 and col. 12 lines 58-67, user may send a scan request to identify peripheral devices connected to a local or remote host);

Means for scanning the network host with the remote command process to identify devices are connected to the host (see col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-65, devices connected to the hosts are identified); and

Means for receiving a response to the scan request from the remote command process that indicates whether a device is connected to the network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-col. 7 lines 3, a list of peripheral devices connected to the host is displayed to the client that the client has access privileges to).

As to claim 12, Goshey teaches the system of claim 11 respectively wherein a controller process is used to send the scan request to the remote command process (see col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-65).

As to claim 13, Goshey teaches the system of claim 12 respectively wherein the controller process runs on a network host (see col. 5 lines 32-45 and col. 6 lines 38-65, the scanLAN software is stored on the host computer as scanLAN server code).

As to claim 14, Goshey teaches the system of claim 11 respectively wherein scanning the network host with the remote command process comprises sending a scan request from the remote command process to a host application program interface (see col. 4 lines 35-col. 5 lines 47).

As to claim 15, Goshey teaches the system of claim 11 respectively receiving device addresses from the application program interface (see fig. 2D, show a list of devices with the ID of each device indicating the addresses of these devices).

As to claim 16, Goshey teaches the system of claim 11 respectively further comprising maintaining an updated list of each network host running a remote command process with a host lookup process (see Fig. 2D and col. 4 lines 35-col. 5 lines 47, the list of currently connected devices to a host are sent to the client).

As to claim 17, Goshey teaches the system of claims 6, 11 and 21 respectively further comprising consulting the list prior to sending the scan request (see col. 11 lines 57-col. 12 lines 12 and col. 4 lines 35-col. 5 lines 47).

As to claim 18, Goshey teaches the system of claim 11 respectively further comprising sending multiple scan requests to multiple remote command processes

stored on network hosts (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47 and fig. 4D, plurality of hosts are scanned independently of each other and a list of peripheral devices connected to each host are sent to the client and displayed as in fig. 4D).

As to claim 19, Goshey teaches the system of claims 8, 11 and 21 respectively wherein the scan requests are sent in parallel (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47, plurality of hosts scanned independent of the each other).

As to claim 20, Goshey teaches the system of claim 11 respectively further comprising communicating information concerning the detected devices to a user (see fig. 4D, col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47).

As to claim 21, Goshey teaches a system for detecting devices connected to a network comprising:

Logic configured to sending a scan request to a remote command process running on a remote network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 17-52 and col. 12 lines 58-67, user may send a scan request to identify peripheral devices connected to a local or remote host);

Logic configured to scanning the network host with the remote command process to identify devices are connected to the host (see col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-65, devices connected to the hosts are identified); and

Logic configured to receiving a response to the scan request from the remote command process that indicates whether a device is connected to the network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-

col. 7 lines 3, a list of peripheral devices connected to the host is displayed to the client that the client has access privileges to).

As to claim 22, Goshey teaches the system of claim 21 respectively wherein a controller process is used to send the scan request to the remote command process (see col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-65).

As to claim 23, Goshey teaches the system of claims 22 respectively wherein the controller process runs on a network host (see col. 5 lines 32-45 and col. 6 lines 38-65, the scanLAN software is stored on the host computer as scanLAN server code).

As to claim 24, Goshey teaches the system of claim 21 respectively wherein scanning the network host with the remote command process comprises sending a scan request from the remote command process to a host application program interface (see col. 4 lines 35-col. 5 lines 47).

As to claim 25, Goshey teaches the system of claim 21 respectively receiving device addresses from the application program interface (see fig. 2D, show a list of devices with the ID of each device indicating the addresses of these devices).

As to claim 26, Goshey teaches the system of claim 21 respectively further comprising maintaining an updated list of each network host running a remote command process with a host lookup process (see Fig. 2D and col. 4 lines 35-col. 5 lines 47, the list of currently connected devices to a host are sent to the client).

As to claim 27, Goshey teaches the system of claims 6, 11 and 21 respectively further comprising consulting the list prior to sending the scan request (see col. 11 lines 57-col. 12 lines 12 and col. 4 lines 35-col. 5 lines 47).

As to claim 28, Goshey teaches the system of claim 21 respectively further comprising sending multiple scan requests to multiple remote command processes stored on network hosts (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47 and fig. 4D, plurality of hosts are scanned independently of each other and a list of peripheral devices connected to each host are sent to the client and displayed as in fig. 4D).

As to claim 29, Goshey teaches the system of claims 8, 11 and 21 respectively wherein the scan requests are sent in parallel (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47, plurality of hosts scanned independent of the each other).

As to claim 30, Goshey teaches the system of claim 21 respectively further comprising communicating information concerning the detected devices to a user (see fig. 4D, col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47).

As to claim 31, Goshey teaches a system for detecting devices connected to a network comprising:

A controller process running on a first network host, the controller being configured to send a scan request to a remote network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 17-52 and col. 12 lines 58-67, user may send a scan request to identify peripheral devices connected to a local or remote host); and

A remote command process running on a second network host, the remote command process being configured to receive the scan request sent by the controller process and initiate a scan of the second network host to identify peripheral

devices that are directly connected to the second network host (see col. 8 lines 50-col. 9 lines 61, col. 4 lines 35-col. 5 lines 47 and col. 6 lines 38-col. 7 lines 3, a list of peripheral devices connected to the host is displayed to the client that the client has access privileges to).

As to claim 32, Goshey teaches the system of claim 31 further comprising a host lookup that maintains an updated list of every network host that is running a remote command process (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47).

As to claim 33, Goshey teaches the system of claim 32 wherein the host lookup process runs on the first network host (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47).

As to claim 34, Goshey teaches the system of claim 32 wherein the host lookup process runs on a third network host (see col. 6 lines 38-65 and col. 4 lines 35-col. 5 lines 47).

As to claim 35, Goshey teaches the method of claim 1, where the peripheral devices comprise at least one of a disk drive, a tape drive, a tape library and a modem (see col. 1 lines 60-col. 2 lines 2 and fig. 2A, shows hosts connected to hard drive and tape drive).

As to claim 36, Goshey teaches the system of claims 11, where the peripheral devices comprise at least one of a disk drive, a tape drive, a tape library and a modem (see col. 1 lines 60-col. 2 lines 2 and fig. 2A, shows hosts connected to hard drive and tape drive).

As to claims 37, Goshey teaches the system of claims 21, where the peripheral devices comprise at least one of a disk drive, a tape drive, a tape library and a modem (see col. 1 lines 60-col. 2 lines 2 and fig. 2A, shows hosts connected to hard drive and tape drive).

As to claim 38, Goshey teaches the system of claim 31, where the peripheral devices comprise at least one of a disk drive, a tape drive, a tape library and a modem (see col. 1 lines 60-col. 2 lines 2 and fig. 2A, shows hosts connected to hard drive and tape drive).

**(10) Response to Argument**

The examiner summarizes the various points raised by the appellant and addresses replies individually.

As per appellants arguments filed on Jan. 19, 2006, the appellant argues that Goshey does not disclose a program or component that is configured to determined what peripheral devices are connected to *other computers* (argument A, Brief pages 6 lines 13-20, page 12 lines 10-page 13 lines 20 and page 14 lines 10-20).

In reply to A), Goshey teaches a system and method for identifying and accessing host adapters and peripheral devices connected to local and remote servers. Referring to Fig. 2D, computer 112d uses an interrogator to determine what host adapters and peripheral devices are connected to computer 112d and peripheral devices connected to computer 112b (see col. 5 lines 33-47 and col. 8 lines 50-col. 9 lines 61). Since computer 112b and computer 112d are two remote computers connected through a network as shown in fig. 2C, therefore Goshey teaches *program or*

*component that is configured to determined what peripheral devices are connected to other computers.*

The appellant argues that Goshey does not disclose sending a scan request or means for sending a scan request (argument B, Brief pages 7 lines 15-page 10 lines 15, page 12 lines 10-page 13 lines 20, pages 13 lines 20-page 14 lines 15 and page 15 lines 4-25).

In reply to B) Goshey teaches the system and method where the client is capable of sending a "get support info command". In response to the request, a request is sent to servers connected on the network to identify the host adaptors and the peripheral devices connected to each of the servers (col. 8 lines 50-col. 9 lines 61). The request is sent using scanLAN client resident on the client machine. The request is also received and processed by the scanLAN server program resident on the remote servers where the scanLAN server program identifies the host adaptors and the peripheral devices connected server and determines a count of the host adaptors, then sends the client a list of the connected devices (see col. 8 lines 50-col. 9 lines 61 and col. 4 lines 35-col. 5 lines 48). Therefore the get support info command sent by the client to remote servers to identify the host adaptors and peripheral devices connected to remote servers meets the scope of the claimed limitation *process, means and logic for sending a scan request to a remote command process running on a remote network host.*

The appellant argues that Goshey does not disclose receiving a response that indicates what devices are connected to the network host (argument C, Brief pages 10

lines 17-page 11 lines 5, page 12 lines 10-page 13 lines 20, pages 13 lines 20-page 14 lines 15 and page 15 lines 4-25).

In reply to C) Goshey teaches the system and method where the client is capable of sending a "get support info command". In response to the request, a request is sent to servers connected on the network to identify the host adaptors and the peripheral devices connected to each of the servers (col. 8 lines 50-col. 9 lines 61). The request is processed by the scanLAN server program resident on the remote servers where the scanLAN server program identifies the host adaptors and the peripheral devices connected server and determines a count of the host adaptors, then sends the client a list of the connected devices, where the list is displayed to the client such as Fig. 4D (col. 8 lines 50-col. 9 lines 61 and col. 4 lines 35-col. 5 lines 48). Therefore Goshey teaches *process, means and logic for receiving a response to the scan request from the remote command process.*

The appellant argues that Goshey does not disclose receiving device addresses from the program and requesting information from the devices directly via the addresses (argument D, Brief page 11 lines 6-10, page 12 lines 10-page 13 lines 20 and pages 13 lines 20-page 14 lines 15).

In reply to D) Goshey teaches the system and method where the client selects a remote host to identify the peripheral devices connected to the selected remote host. The local client receives a response from the scanLAN software installed on a remote computer where the list of devices are displayed to the client (see col. 5 lines 9-47 and Fig. 4D). The list of devices received are displayed to the user as shown in fig. 4D. Fig.

4D show the devices and device IDs of each device where the device ID represents the device address and therefore Goshey teaches requesting information from the devices directly via the addresses.

The appellant argues that Goshey does not disclose consulting the list prior to sending the scan request (argument E, Brief page 11 lines 11-12, page 12 lines 10-page 13 lines 20 and pages 13 lines 20-page 14 lines 20).

In reply to E) Goshey teaches the determines which remote servers are connected to the client and then requests the identification of peripheral devices connected to each of the remote servers by sending requests to each of the remote servers (see col. 5 lines 33-61 and col. 8 lines 50-col. 9 lines 61). Therefore, Goshey teaches consulting the list prior to sending the scan request by identifying the hosts connected to the network before identifying the peripheral devices connected to each of the hosts.

The appellant argues that Goshey does not disclose sending multiple scan requests to multiple remote processes or wherein the scan requests are sent in parallel (argument F, Brief page 11 lines 13-15, page 12 lines 10-page 13 lines 20 and pages 13 lines 20-page 14 lines 25).

In reply to F) Goshey teaches the determines the which hosts are connected to the client and then requests the identification of peripheral devices connected to each of the hosts by sending requests to each of the hosts (see col. 5 lines 33-61). The system include plurality of hosts that operate independent of each other and the requests to identify the peripheral devices connected to each of the hosts sent from the same client

are sent independent of each other (see col. 5 lines 33-61 and col. 8 lines 50-col. 9 lines 61). Therefore Goshey teaches *sending multiple scan requests to multiple remote processes or wherein the scan requests are sent in parallel* by sending from a client multiple independent requests to multiple hosts.

The appellant argues that disclose the identified peripheral devices comprise at least one of a disk drive, a tape drive, a tape library and a modem (argument G, Brief page 11 lines 16-page 12 lines 10, page 12 lines 10-page 13 lines 20, page 15 lines 1-3 and page 16 lines 1-3).

In reply to G) Goshey teaches a system and method for identifying peripheral devices connected to remote hosts. The peripheral devices may include a tape drive 130, optical drive 128 and optical drive 126 as shown in fig. 2A. Therefore Goshey teaches *the identified peripheral devices comprise "at least one of" a disk drive, a tape drive, a tape library and a modem* as claimed.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Hussein El-chanti

Feb. 8, 2006

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER

Conferees:

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100